

IN WITNESS WHEREOF, I have hereunto set my hand this eleventh day of January, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

JIMMY CARTER

Proclamation 4713 of January 16, 1980

Temporary Duty Increase on the Importation Into the United States of Certain Nonelectric Cooking Ware of Steel

By the President of the United States

A Proclamation

1. Pursuant to section 201(d)(1) of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2251(d)(1)), the United States International Trade Commission (USITC), on November 5, 1979, reported to the President (USITC Report 201-39) the results of its investigation under section 201(b) of the Trade Act (19 U.S.C. 2251(b)). The USITC determined that nonelectric cooking ware of steel, enameled or glazed with vitreous glasses, is being imported into the United States in such increased quantities as to be a substantial cause of serious injury, or the threat thereof, to the domestic industry producing articles like or directly competitive with the imported articles. The subject articles are now provided for in item 654.02 of the Tariff Schedules of the United States (TSUS) (19 U.S.C. 1202) (formerly provided for in item 653.97, TSUS). The USITC recommended the imposition of additional duties on imports of the above specified articles.

2. On January 2, 1980, pursuant to section 202(b)(1) of the Trade Act (19 U.S.C. 2252(b)(1)), and after taking into account the considerations specified in section 202(c) of the Trade Act (19 U.S.C. 2252(c)), I determined to remedy or prevent the injury or threat thereof, found to exist by the USITC, by proclaiming a temporary duty increase. On January 2, 1980, in accordance with section 203(b)(1) of the Trade Act (19 U.S.C. 2253(b)(1)), I transmitted a report to the Congress setting forth my determination and intention to proclaim a temporary duty increase and stating the reasons why my decision differed from the action recommended by the USITC.

3. Section 503(c)(2) of the Trade Act (19 U.S.C. 2463(c)(2)) provides that no article shall be eligible for purposes of the Generalized System of Preferences (GSP) for any period during which such article is the subject of any action proclaimed pursuant to section 203 of the Trade Act (19 U.S.C. 2253).

4. Section 203(e)(1) of the Trade Act (19 U.S.C. 2253(e)(1)) requires that import relief be proclaimed and take effect within 15 days after the import relief determination date.

5. Pursuant to sections 203(a)(1) and 203(e)(1) of the Trade Act (19 U.S.C. 2253(a)(1) and 2253(e)(1)), I am providing import relief through the temporary increase of the import duty on certain nonelectric cooking ware of steel, as hereinafter proclaimed.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including General Headnote 4 of the TSUS (19 U.S.C. 1202), section 604 and section 203 of the Trade Act (19 U.S.C. 2483; and 19 U.S.C. 2253), and in accordance with Articles I and XIX of the General Agreement on Tariffs and Trade (GATT) (61 Stat. (pt. 5) A12 and 61 Stat. (pt. 5) A58; 8 UST (pt. 2) 1786), do proclaim that—

(2) Subpart A, part 2 of the Appendix to the TSUS is modified as set forth in the Annex to this proclamation. 19 USC 1202.

(3) GSP eligibility is suspended for the nonelectric cooking ware of steel classified under TSUS item 923.60 as added by the Annex to this proclamation for such time as the import relief provided for therein is in effect.

(4) This proclamation shall be effective as to articles entered, or withdrawn from warehouse, for consumption on or after January 17, 1980, and before the close of January 16, 1984, unless the period of its effectiveness is earlier expressly suspended, modified or terminated.

(5) The Commissioner of Customs shall take such action as the U.S. Trade Representative shall direct in the implementation and administration of the import relief herein proclaimed.

IN WITNESS WHEREOF, I have hereunto set my hand this sixteenth day of January, in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

JIMMY CARTER

ANNEX

Subpart A, part 2 of the Appendix to the TSUS (19 U.S.C. 1202) is modified—

(1) by adding the following new headnote 7:

"7. *United States International Trade Commission (USITC) surveys on certain nonelectric cooking ware of steel*—The USITC shall conduct surveys with respect to cooking ware of the type subject to temporary duty increases under item 923.60 as follows:

"(a) *Semiannually*—Surveys semiannually to obtain periodic data on U.S. production; U.S. producers' domestic, export, and total shipments, imports, apparent U.S. consumption, employment, and man-hours. The initial survey shall cover the last half of 1979 and the first half of 1980, the last such survey shall cover the semiannual period which ends not less than 60 days prior to the termination of the import relief. The results of the surveys shall be published and transmitted to the U.S. Trade Representative within 60 days of the end of each survey period.

"(b) *Annually*—Annual surveys to obtain from domestic producers annual data on profits, capital expenditures, capacity, and capacity utilization. The initial survey shall cover calendar year 1979, and the results of this and subsequent surveys shall be published and transmitted to the U.S. Trade Representative by the end of the first quarter of each year thereafter so long as the import relief is in effect." and

(2) by inserting in numerical sequence the following new provision:

Item	Articles	Rates of Duty			
		1		2	
"923.60	Cooking ware (except teakettles) of steel, not having self-contained electrical heating elements, enameled or glazed with vitreous glasses, and valued not over \$2.25 per pound, provided for in item 654.02	Effective on or after January 17, —			
		1980	1981	1982	1983
		The rate provided for in item 654.02 + 20¢ per lb., but the total duty shall not exceed 53.3% ad val.	The rate provided for in item 654.02 + 20¢ per lb., but the total duty shall not exceed 53.3% ad val.	The rate provided for in item 654.02 + 15¢ per lb., but the total duty shall not exceed 53.3% ad val.	The rate provided for in item 654.02 + 10¢ per lb., but the total duty shall not exceed 53.3% ad val.
		35.5% ad val., but not less than the rate which would have applied had the article been imported subject to the applicable column 1 rate of duty provided herein for this item."			

Editorial Note: The text of the President's letters to the Speaker of the House and the President of the Senate, and a memorandum for the Special Representative for Trade Negotiations, both dated Jan. 2, 1980, on the American porcelain-on-steel cookware industry, is printed in the Weekly Compilation of Presidential Documents (vol. 16, p. 2-3).

Proclamation 4714 of January 18, 1980

Temporary Duty Increase on the Importation Into the United States of Certain Anhydrous Ammonia From the Union of Soviet Socialist Republics

By the President of the United States of America

A Proclamation

19 USC 1202.

1. Pursuant to sections 406(c), 202, and 203 of the Trade Act of 1974 (the Trade Act) (19 U.S.C. 2436(c), 2252 and 2253), I hereby find that there are reasonable grounds to believe, with respect to imports of anhydrous ammonia from the Union of Soviet Socialist Republics (U.S.S.R.) provided for in items 417.22 and 480.65 of the Tariff Schedules of the United States (TSUS), that market disruption exists with respect to articles produced by a domestic industry and that emergency action is necessary.

2. Recent events have altered the international economic conditions under which I made my determination that it was not in the national interest to impose import relief on anhydrous ammonia from the U.S.S.R. as recommended by the United States International Trade Commission (USITC) on October 11, 1979. However, the factual basis upon which USITC made its determination of market disruption still exists.

USC prec. title 1.

NOW, THEREFORE, I, JIMMY CARTER, President of the United States of America, acting under the authority vested in me by the Constitution and the statutes of the United States, including sections 604, 406(c), 202 and 203 of the Trade Act (19 U.S.C. 2483, 2436(c), 2252, and 2253), do proclaim that—

19 USC 1202.

(1) Subpart A, part 2 of the Appendix to the TSUS is modified as set forth in the Annex to this proclamation.

19 USC 2436.

(2) This proclamation shall be effective as to articles entered, or withdrawn from warehouse, for consumption on or after the third day following the date of publication of this Proclamation in the **Federal Register** and shall remain in effect for one year unless the period of its effectiveness is earlier expressly suspended, modified or terminated, but in any event not longer than authorized by section 406(c) of the Trade Act.

(3) The Commissioner of Customs shall take such action as the U.S. Trade Representative shall direct in the implementation and administration of the import relief herein proclaimed.

IN WITNESS WHEREOF, I have hereunto set my hand this eighteenth day of January in the year of our Lord nineteen hundred and eighty, and of the Independence of the United States of America the two hundred and fourth.

JIMMY CARTER